



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Kenneth T. Cuccinelli, II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804 - 786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

June 10, 2010

William L. Harp, M.D.
Executive Director
Virginia Board of Medicine
9960 Mayland Drive, Suite 300
Richmond, VA 23233-1463

**RE: 18VAC85-20-10 et seq., Regulations Governing the Practice of Medicine,
Osteopathic Medicine, Podiatry and Chiropractic
18VAC85-50-10 et seq., Regulations Governing the Practice of Physician
Assistants**

Dear Dr. Harp:

You have asked whether the proposed changes to the above-cited regulations are exempt from the operation of Article 2 of the Administrative Process Act.

The proposed amendments, to conform regulations to § 54.1-2525 of the Code, are exempt in accordance with § 2.2-4006 A 4, which provides an exemption for regulations: "*Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.*"

Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this exempt regulation with the Registrar of Regulations.

Sincerely,

A handwritten signature in blue ink that reads "Amy Marschean".

Amy Marschean
Senior Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator
Department of Health Professions

